

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**DARWIN NATIONAL ASSURANCE  
COMPANY and DARWIN NATIONAL  
ASSURANCE COMPANY as assignee of  
Frank M. Gatti, M.D.,**

**Plaintiff,**

**vs.**

**THE DOCTORS COMPANY,**

**Defendant.**

**Civil Action No.: 1:11-cv-12210-DPW**

**STIPULATION OF DISMISSAL**

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties to the above-entitled action hereby stipulate to the dismissal of this matter, including all claims, counterclaims, cross-claims and third-party claims, with prejudice, without costs or attorneys' fees to any party, and with all rights of appeal being waived.

**Plaintiff,  
DARWIN NATIONAL  
ASSURANCE COMPANY,  
By its attorneys,**

/s/ Valerie N. Doble

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**Defendant,  
THE DOCTORS COMPANY,  
By its attorneys,**

/s/ Stanley A. Martin

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Dated: November 1, 2012

**Certificate of Service**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on November 1, 2012.

/s/ Valerie N. Doble

Valerie N. Doble